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**Rule of Law Institutional  
Strengthening Program (ROLISP)**

# **REPORT ON Workshops**

**“ASPECTS RELATED TO INVESTIGATION AND  
LEGAL CLASSIFICATION OF TRAFFICKING IN  
HUMAN BEINGS CRIME. HEARING TECHNIQUES  
OF THB VICTIMS/WITNESSES”**

**8-9 OCTOBER 2015  
22-23 OCTOBER 2015**

**Rule of Law Institutional Strengthening Program (ROLISP)**

**USAID Contract No. AID-117-C-12-00002**

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19 November 2015**

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# SUMMARY

**Date(s):** 8-9 October 2015 (Ist training)  
22-23 October 2015 (IInd training)

**Place/Location:** NIJ headquarters

**Organized by:** USAID ROLISP  
National Institute of Justice

**Objectives:** Provide assistance to the NIJ to organize 2-day trainings on “Aspects related to investigation and legal classification of trafficking in human beings crime. Hearing techniques of THB victims / witnesses”. The training subject resulted from the findings of the United States Department of State, 2013 Trafficking in Persons Report – Moldova, (19 June 2013). During 2013 a substantial number of men and women from Republic of Moldova were trafficked in such countries as Ukraine and Russia. The offenses of trafficking in human beings present similar elements with other related crimes such as trafficking of children, forced labour, pimping and organization of begging. It is difficult to distinguish these crimes without a good understanding of the delimitation principles and techniques of these offenses. These seminars were also prepared by using the evaluation results from previous trainings on “Trafficking in Human Beings in purpose of Forced Labor”. The trainings have been highly appreciated by the participants who mentioned the need of organizing these training courses more often because of their usefulness for the practical activity of judges and prosecutors.

**Goals:** Improving the knowledge of judges and prosecutors of national and international standards for investigation and classification of the crime of trafficking in human beings; learning about the distinction between the crimes of trafficking and other similar crimes; improving knowledge and skills for investigating and adjudicating cases of human trafficking; learning about the psychological profile of the victims of trafficking in persons and understanding the techniques for securing the testimony of victims / witnesses.

**Participants:** Judges and prosecutors (see the lists of participants - Annex B)

**Trainers:** **Viorel Ciobanu** (Prosecutor, Deputy Chief of Combating and Preventing Human Trafficking Unit / Office of the Prosecutor General of RM); **Maria Ghervas** (Judge, Supreme Court of Justice), **Tatiana Buianina** (Psychologist, International Center “La Strada”).

# TRAINING COURSE IMPLEMENTATION

On October 8-9, 2015 and October 22-23, 2015, the National Institute of Justice (NIJ), in partnership with USAID ROLISP, organized 2-day trainings on “Aspects related to investigation and legal classification of trafficking in human beings crime. Hearing techniques of THB victims / witnesses”. The trainings were to improve the knowledge and skills of judges and prosecutors for distinguishing between the crimes of trafficking in human beings and other related crimes during the investigation or adjudication processes. The trainings also aimed to develop participants’ skills to correctly apply criminal norms when investigating and adjudicating such crimes.

Joint training of judges and prosecutors contributed to the exchange of best practices for investigation and adjudication of trafficking in human beings. Participants were introduced to best psychological methods to discuss and interview trafficking victims or witnesses, especially children. Participants received useful information about legal national and international framework in this field and participated in practical exercises as well as in resolving case studies.

## Course summary

The training beneficiaries mentioned the following expectations regarding the training:

- investigation aspects of trafficking in persons (TIP) crime; accumulating relevant evidence; victim motivation techniques
- qualification aspects of TIP crime
- victim hearing techniques
- examination of TIP cases in the Appellate court of law; the important aspects to be considered by the prosecutor during the case examination in the Appellate court.

During the first part of the training, the trainers presented the international standards on preventing and combating trafficking in persons so that the trainees could apply the provisions of these international standards in their daily work. In addition, the trainers presented the national legislative and institutional framework on combatting trafficking in persons. The trainers used various movies in order to raise the awareness of the participants related to this topic. The trainers also provided information about existing possibilities to help TIP victims to receive rehabilitation or free legal assistance by discussing about local institutions and organizations that provide such services on the territory of Moldova.

During the first day of the training the following aspects were discussed: the subject of the TIP crime (legal entity or individual), the responsibility of the person committing TIP crime, the special signs of TIP crime. The trainers subsequently focused on providing and explaining the elements that differentiate the TIP crime with other crimes such as pimping, prostitution, trafficking of children, forced labor, organization of begging. Also was provided information on particularities regarding organization of court hearing in TIP crimes, the public or private nature of the hearing, the summoning procedure for the court hearing in TIP cases, research of evidence (in cases where minors are involved), etc. For understanding the criminal analysis of TIP crime

the training participants resolved several case studies in order to identify the component parts of the crime: victim recruitment, transportation and transfer.

The participants expressed their interest regarding the following investigation means/actions:

- Seizure of property that was used in committing the offense (served for victim transporting or accommodation purposes);
- Using IT techniques to identify / view the crime scene (Google Maps if the crime was committed abroad)
- International collaboration in investigating TIP crimes and creation of joint investigation teams (by discussing the advantages and disadvantages of each investigation procedure).

During the second training day the representative of the International Center “La Strada” provided information regarding the psychological profile of victims and presented the best ways for hearing victims/witnesses of such crimes. The participants learned about the major role of interviewer to help the victim to recall the crime details and narrate what has happened. Through group work participants practiced closed and open-ended questions, active listening (eye contact, encourage the person to speak, etc.). Participants learned about such interviewing techniques as: clarification, confrontation, summarizing and paraphrasing the victim’s words.

The benefits of hearing minors in child friendly conditions were also discussed, and mainly:

- The audio-video recorded testimony eliminates the need for repeated hearings thus avoiding the minor’s re-victimization;
- Hearing the child in specially set up room, in absence of the abuser, eliminates pressure over the child;
- Hearing the child in child friendly conditions ensures better quality of child’s evidence;

## **Conclusions:**

1. The training was highly appreciated by the beneficiaries. The trainers that delivered the course have a rich experience in investigation and court examination of cases in trafficking in human beings. Individuals who attended the course mentioned in the evaluation questionnaires that they would like to attend such trainings in the future as well.
2. The training participants acknowledged that they experience difficulties in practice in examining TIP cases. Difficulties are also met at a proper qualification of TIP crimes. For this reason it is recommended for NIJ to continue to organize trainings on this topic (individually or with donor support).



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NATIONAL INSTITUTE OF JUSTICE



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## WORKSHOP

### ***ASPECTS RELATED TO INVESTIGATION AND LEGAL CLASSIFICATION OF TRAFFICKING IN HUMAN BEINGS CRIME. HEARING TECHNIQUES FOR THB VICTIMS/WITNESSES***

**Duration (16 hours)**

**Participants: judges/prosecutors**

**Organizers: NIJ, USAID ROLISP**

**8-9, 22-23 October, 2015**

**mun. Chisinau, 1 Serghei Lazo Street**

	<b>AGENDA October 8, 2015</b>
<b>08:45 – 09:00</b>	<b><i>Registration of participants</i></b>
<b>09:00 – 09:05</b>	<b>Welcome speech</b>  <i>Trainers: Viorel Ciobanu</i> , prosecutor GPO, NIJ trainer  <i>Maria Ghervas</i> , judge, Supreme Court of Justice, NIJ trainer
<b>09:05 – 09:50</b>	<b>Legal and institutional framework on preventing and combating trafficking in human beings</b> International legal framework National legal framework National institutional framework  <i>Trainers: Viorel Ciobanu</i> , prosecutor GPO, NIJ trainer
<b>09:50-10:00</b>	<b>Coffee break</b>
<b>10:00– 11:30</b>	<b>Legal-criminal analysis of the trafficking in human beings crime (art.165 CC) and trafficking in children (art.206 CC)</b> Subject of crime Object of crime Objective side - Actions - Means - Goal Aggravating circumstances

	<p><i>Trainers: <b>Maria Ghervas</b>, judge, Supreme Court of Justice, NIJ trainer</i></p> <p><i><b>Viorel Ciobanu</b>, prosecutor GPO, NIJ trainer</i></p>
<b>11:30 – 12: 15</b>	<p><b>Delimitation between the trafficking in human beings for sexual exploitation purpose (art. 165 CC) and pimping (art.220 CC).</b></p> <p>Similarities Differences Cases from practice Case study</p> <p><i>Trainers: <b>Maria Ghervas</b>, judge, Supreme Court of Justice, NIJ trainer</i></p>
12:15 – 13:15	<b>Lunch</b>
<b>13:15-14:00</b>	<p><b>Delimitation between the trafficking in human beings for forced labor exploitation purpose and forced labor</b></p> <p>Similarities Differences Cases from practice</p> <p><i>Trainers: <b>Viorel Ciobanu</b>, prosecutor GPO, NIJ trainer</i></p> <p><i><b>Maria Ghervas</b>, judge, Supreme Court of Justice, NIJ trainer</i></p>
<b>14:00-14:45</b>	<p><b>Delimitation between the trafficking in human beings for begging exploitation purpose and begging organization</b></p> <p>Similarities Differences Cases from practice Case study</p> <p><i>Trainers: <b>Viorel Ciobanu</b>, prosecutor GPO, NIJ trainer</i></p> <p><i><b>Maria Ghervas</b>, judge, Supreme Court of Justice, NIJ trainer</i></p>
14:45 – 14:55	<b>Coffee break</b>
<b>14:55 – 15:40</b>	<p><b>Investigation of trafficking in human beings cases</b></p> <p>Identification of trafficking cases Evaluation of trafficking victim's statements Special investigation techniques Parallel financial investigation International cooperation, joint investigation teams</p> <p>Case study</p> <p><i>Trainer: <b>Viorel Ciobanu</b>, prosecutor GPO, NIJ trainer</i></p>

<b>15:40 – 16:25</b>	<b>Judging the cases of trafficking in human beings and trafficking in children cases</b>  Peculiarities related to the trial organization Administration and investigation of the evidence during the trial Special trial procedures Judgement  <i>Trainer: <b>Maria Ghervas</b>, judge, Supreme Court of Justice, NIJ trainer</i>
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	<b>October 9, 2015</b>
<b>09:00 – 9:05</b>	<b><i>Answering the questions of the participants</i></b>  <i>Trainers: <b>Viorel Ciobanu</b>, prosecutor GPO, NIJ trainer;   <b>Tatiana Buianina</b>, psychologist, NIJ trainer</i>
<b>09:05 – 09:50</b>	<b>Legal protection of trafficking victims</b>  Principles: Direct protection means; Indirect protection means.  <i>Trainer: <b>Viorel Ciobanu</b>, prosecutor GPO, NIJ trainer</i>
<b>09:50-10:00</b>	<b><i>Coffee break</i></b>
<b>10:00 – 12:15</b>	<b>Psychological manipulation of THB victims</b>  Stages in THB manipulation: recruitment, initiation, indoctrination Stockholm syndrome Post-traumatic stress: stress factors, fear and body's reaction to survival, manifestation of the chronic stress, cycle of psychological manipulation.  <i>Trainer: <b>Tatiana Buianina</b>, psychologist, NIJ trainer</i>
<b>12:15-13:15</b>	<b><i>Lunch</i></b>
<b>13:15 – 14:00</b>	<b>Psycho-social profile of the THB victim</b>  Vulnerability factors Manipulation criteria <i>Trainer: <b>Tatiana Buianina</b>, psychologist, NIJ trainer</i>
<b>14:00 – 14:45</b>	<b>Needs of the THB victim</b>  Vulnerability concept, factors for maintaining the THB victim vulnerability,

	<p>Needs of the THB victims during the investigation process, Risk situation for the victim and the investigation process.</p> <p><i>Trainer: <b>Tatiana Buianina</b>, psychologist, NIJ trainer</i></p>
<b>14:45-14:55</b>	<b><i>Coffee break</i></b>
<b>14:55-15:40</b>	<p><b>Hearing the THB victims</b></p> <p>Verbal versus nonverbal; communication, nonverbal indicators Hearing skills: open-end questions, closed-end questions, types of open-end questions, Clarification (minimum encouragement, paraphrasing), summarizing, advanced hearing skills.</p> <p><i>Trainer: <b>Tatiana Buianina</b>, psychologist, NIJ trainer</i></p>
<b>15:40 – 16:25</b>	<p><b>Hearing of THB victims</b> <i>Analysis of practical cases</i></p> <p><i>Trainer: <b>Tatiana Buianina</b>, psychologist, NIJ trainer</i></p>
<b>16:25-16:35</b>	<b>Filling in the program quality evaluation questionnaire</b>
<b>16:35– 16:40</b>	<b>Awarding the participation certificates</b>



## LIST OF PARTICIPANTS

**October 8-9, 2015**

Nr.	F. Name / Name	Position	Institution
1.	Popescu Ion	Judge	Singerei Court of Law
2.	Stihi Vasile	Judge	Telenesti Court of Law
3.	Cojocari Oleg	Judge	Criuleni Court of Law
4.	Andronache Aurelia	Judge	Briceni Court of Law
5.	Costru Rodica	Judge	Nisporeni Court of Law
6.	Tihonschii Alina	Judge	Glodeni Court of Law
7.	Ghizdari Ion	Judge	Falesti Court of Law
8.	Pacaleu Ion	Judge	Falesti Court of Law
9.	Babalau Denis	Judge	Riscani Court of Law, Chisinau municipality
10.	Cazacu Grigore	Judge	Riscani Court of Law, Chisinau municipality
11.	Tataru Rodica	Prosecutor	Prosecutor's Office, Balti municipality
12.	Prepelita Tatiana	Prosecutor	General Prosecutor's Office
13.	Sevciuc Artur	Prosecutor	Prosecutor's Office, Edinet
14.	Sili Radu	Prosecutor	Prosecutor's Office, Chisinau Court of Appeal level
15.	Rusu Adrian	Prosecutor	Prosecutor's Office, Chisinau, Control department
16.	Clevadi Grigore	Prosecutor	Prosecutor's Office, Hincesti
17.	Galben Sergiu	Prosecutor	Prosecutor's Office, Calarasi
18.	Lefter Sergiu	Prosecutor	Prosecutor's Office, Bender
19.	Illarion Andrei	Prosecutor	Prosecutor's Office, Telenesti

**October 22-23, 2015**

<b>Nr.</b>	<b>F. Name / Name</b>	<b>Position</b>	<b>Institution</b>
1.	Robu Oxana	Judge	Chisinau Court of Appeal
2.	Rusu Anatolie	Judge	Edinet Court of Law
3.	Cupcea Veronica	Judge	Orhei Court of Law
4.	Morozan Ion	Judge	Buiucani Court of Law, Chisinau
5.	Balmus Svetlana	Judge	Chisinau Court of Appeal
6.	Purici Ghenadie	Judge	Soroca Court of Law
7.	Sleahitchi Svetlana	Judge	Balti Court of Appeal
8.	Morozan Ghenadie	Judge	Buiucani Court of Law, Chisinau
9.	Pasecinic Nicolae	Judge	Buiucani Court of Law, Chisinau
10.	Ratoi Victor	Judge	Buiucani Court of Law, Chisinau
11.	Vasilica Tatiana	Judge	Riscani Court of Law, Chisinau
12.	Babilev Valerian	Prosecutor	Prosecutor's Office, Anenii Noi
13.	Rusnac Igor	Prosecutor	Prosecutor's Office, Ocnita
14.	Maliuta Anatolie	Prosecutor	Prosecutor's Office, Rezina
15.	Plevan Vasile	Prosecutor	Prosecutor's Office, Ialoveni
16.	Ciur Igor	Prosecutor	Prosecutor's Office, Ciocana, Chisinau
17.	Sevciuc Artur	Prosecutor	Prosecutor's Office, Edinet
18.	Grosu Ivan	Prosecutor	Military Prosecutor's Office
19.	Calugareanu Vitalie	Prosecutor	Chisinau Court of Appeal
20.	Rosca Ion	Prosecutor	Riscani Prosecutors' Office
21.	Buza Rodica	Prosecutor	Balti Prosecutors' Office
22.	Godorog Alexandru	Prosecutor	Balti Prosecutors' Office
23.	Coretchi Alexandru	Prosecutor	Soroca Prosecutors' Office
24.	Cebotari Vitalii	Prosecutor	Soroca Prosecutors' Office
25.	Filimon Ivan	Prosecutor	Soroca Prosecutors' Office
26.	Cazacu Vasile	Prosecutor	Hincesti Prosecutors' Office

27.	Terzi Vitalie	Prosecutor	Taraclia Prosecutors' Office
28.	Varuiciv Victor	Prosecutor	Taraclia Prosecutors' Office

# ANALYSIS OF THE QUALITY ASSESSMENT QUESTIONNAIRES

October 8-9, 2015

## I. Quality assessment of the training activity

### 1. Adequacy of training content to your level of training

Trainer	Average Mark	Comments
Ciobanu Viorel	9,1	-
Ghervas Maria	9,1	-
Buianina Tatiana	9,3	-

### 2. Interactive level of the training activity

Trainer	Average Mark	Comments
Ciobanu Viorel	9,1	-
Ghervas Maria	9,1	-
Buianina Tatiana	9,5	-

### 3. Practical level of the training activity

Trainer	Average Mark	Comments
Ciobanu Viorel	9,3	-
Ghervas Maria	9,2	-
Buianina Tatiana	9,0	-

### 4. Usefulness of the materials provided and training facilities used by trainers during the training activity

Trainer	Average Mark	Comments
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Ciobanu Viorel	8,9	-
Ghervas Maria	7,5	-
Buianina Tatiana	9,1	-

**5. The trainers' attitude (rigor, dedication, posture, communication skills)**

<b>Trainer</b>	<b>Average Mark</b>	<b>Comments</b>
Ciobanu Viorel	9,6	-
Ghervas Maria	9,6	-
Buianina Tatiana	9,6	-

**II. Assessment of the organizational aspects**

**1. Training room / equipment**

- ✓ Excellent – 13 persons
- ✓ Good – 6 persons
- ✓ Satisfactory – 0 persons
- ✓ Unsatisfactory – 0 persons
- ✓

**2. Accommodation**

- ✓ Excellent – 3 persons
- ✓ Good – 8 persons
- ✓ Satisfactory – 2 persons
- ✓ Unsatisfactory – 0 persons

**3. Lunch and coffee breaks**

- ✓ Excellent – 5 persons
- ✓ Good – 10 persons
- ✓ Satisfactory – 4 persons
- ✓ Unsatisfactory – 0 persons

**III. Other proposals for training process optimization**

- Accommodation conditions need to be improved
- More practical examples from the trainers' profesional activity to be discussed during the training

**October 22-23, 2015**

**I. Quality assessment of the training activity**

**1. Adequacy of training content to your level of training**

<b>Trainer</b>	<b>Average Mark</b>	<b>Comments</b>
Ciobanu Viorel	9,4	Very good
Ghervas Maria	9,5	Very good
Buianina Tatiana	9,6	Very interesting

**2. Interactive level of the training activity**

<b>Trainer</b>	<b>Average Mark</b>	<b>Comments</b>
Ciobanu Viorel	9,4	-
Ghervas Maria	9,5	-
Buianina Tatiana	9,6	-

**3. Practical level of the training activity**

<b>Trainer</b>	<b>Average Mark</b>	<b>Comments</b>
Ciobanu Viorel	9,5	
Ghervas Maria	9,4	
Buianina Tatiana	9,7	

**4. Usefulness of the materials provided and training facilities used by trainers during the training activity**

<b>Trainer</b>	<b>Average Mark</b>	<b>Comments</b>
Ciobanu Viorel	9,3	
Ghervas Maria	9,4	
Buianina Tatiana	9,6	

## **5. The trainers' attitude (rigor, dedication, posture, communication skills)**

<b>Trainer</b>	<b>Average Mark</b>	<b>Comments</b>
Ciobanu Viorel	9,6	
Ghervas Maria	9,6	
Buianina Tatiana	9,7	

## **II. Assessment of the organizational aspects**

### **1. Training room / equipment**

- ✓ Excellent – 11 persons
- ✓ Good – 11 persons
- ✓ Satisfactory – 1 person
- ✓ Unsatisfactory – 0 persons

### **2. Accommodation**

- ✓ Excellent – 4 persons
- ✓ Good – 7 persons
- ✓ Satisfactory – 2 persons
- ✓ Unsatisfactory – 0 persons

### **3. Lunch and coffee breaks**

- ✓ Excellent – 14 persons
- ✓ Good – 6 persons
- ✓ Satisfactory – 3 persons
- ✓ Unsatisfactory – 0 persons

## **III. Other proposals for training process optimization**

- These trainings need to be organized more often. They are very useful.

# PHOTOS

